

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MERYL POMPONIO,

Plaintiff,

v.

B & B PIZZA, INC., et al.,

Defendants.

Case No. [19-cv-04186-TSH](#)

**SECOND ORDER TO SHOW CAUSE**

As there was no indication Plaintiff Meryl Pomponio served any of the named defendants and she failed to respond to the Court's request for a status report, the Court ordered Pomponio to show cause by January 16, 2020 why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. ECF No. 10. Pomponio did not file a response to the show cause order but instead filed three executed summonses, showing service on three named defendants as of December 18, 2019. ECF Nos. 11-13. As it appeared Pomponio intends to proceed with this case, the Court discharged the show cause order. ECF No. 14. However, because she named four defendants in her complaint and the summonses do not establish that Defendant 1500 Monument Blvd, LLC has been served in accordance with Federal Rule of Civil Procedure 4, the Court ordered Pomponio to file a status report by January 28, 2020, as to service on 1500 Monument Blvd. Pomponio failed to respond.

Accordingly, the Court **ORDERS** Plaintiff Meryl Pomponio to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Pomponio shall file a declaration by February 6, 2020. If a responsive declaration is filed, the Court shall either issue an order based on the declaration or conduct a hearing on February 13, 2020 at 10:00 a.m. in Courtroom G, 15th Floor, 450 Golden Gate Avenue, San Francisco,

California. Notice is hereby provided that failure to file a written response will be deemed an admission that Pomponio does not intend to prosecute, and the case will be dismissed without prejudice. Thus, it is imperative the Court receive a written response by the deadline above.

**IT IS SO ORDERED.**

Dated: January 30, 2020

  
THOMAS S. HIXSON  
United States Magistrate Judge